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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,816	08/04/2003	Leon Pryor	MS1-1626US	7499
22801	7590	08/16/2007	EXAMINER	
LEE & HAYES PLLC			SHAH, MILAP	
421 W RIVERSIDE AVENUE SUITE 500				
SPOKANE, WA 99201				
			ART UNIT	PAPER NUMBER
			3714	
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			08/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/633,816

Applicant(s)

PRYOR, LEON

Examiner

Milap Shah

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 11 June 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
See Continuation Sheet

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 4(e) Other: For part C, at least claim 13 has a status identifier other than the accepted status identifiers listed above. Additionally, the amendment to the claims appears to be using two different methods of deleting text from claims, wherein the strikeout method is sufficient to delete multiple words/phrases, however, using the bracketing method of [[and]] is only proper when the deletion of text is 5 characters or less. The use of both methods to delete the same text is also improper. The Applicant appears to have utilized both methods interchangeably throughout the amendments to the claims, such as in claim 1 or 17 (amongst others). According to MPEP 714(c), the brackets method may only be used when 5 characters or less are to be deleted, especially in situations where a strikeout may be overlooked, such as when striking out the number 4, where [[4]] is more visible. Consequently, the current claim listings are both improper and difficult to determine exactly what text is removed, new, or previously presented. Therefore, the Examiner requests the Applicant to re-file the amendments in a more clear manner and to only use the brackets method for deletion of 5 characters or less.

Continuation of 5 Other: The Examiner submits a quick comment: During the telephone interview of June 5, 2007, Applicant's representative and the Examiner discussed a potential 35 U.S.C. 112 issue within the proposed amendment. It appears the Applicant has filed the amendment without any modification to overcome the potential 35 U.S.C. 112, the Examiner thus submits, the Applicant has an opportunity within the corrected reply to the outstanding action to take another look at the claim language, such as in claim 1 that recites, "...whereby the cheating players and player-exploitable game conditions are dealt with to prevent from further occurrence". The Examiner reiterates that it is indefinite to merely recite "are dealt with". This issue, however, is not a reason for this notice of non-compliant amendment, but rather just an Examiner comment to give the Applicant the opportunity to review the issue before any rejections are submitted.